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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission 2

Application Number	10/712,126
Filing Date	November 13, 2003
First Named Inventor	Kazuhisa Yamamoto et al.
Art Unit	2828
Examiner Name	Dung T. Nguyen
Attorney Docket No.	YAO-3750US4

ENCLOSURES (Check all that apply)

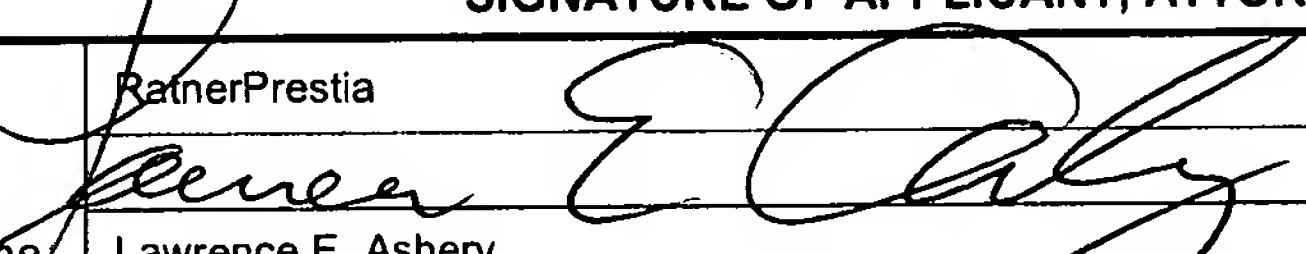
- ☐ Fee Transmittal Form
☐ Fee Attached
- ☐ Amendment/Reply
☐ After Final
☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below): Response to
Election of Species

Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name RatnerPrestia

Signature 


Printed Name Lawrence E. Ashery

Date January 30, 2006

Registration No. 34,515

CERTIFICATE OF TRANSMISSION / MAILING

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Date January 30, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appln. No.: 10/712,126
Amendment Dated January 30, 2006
Reply to Office Action of December 30, 2005

YAO-3750US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/712,126
Applicant: Kazuhisa Yamamoto et al.
Filed: November 13, 2003
Title: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND
METHOD OF PRODUCING OPTICAL DEVICE
T.C./A.U.: 2828
Examiner: Dung T. Nguyen
Confirmation No.: 7681
Docket No.: YAO-3750US4

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

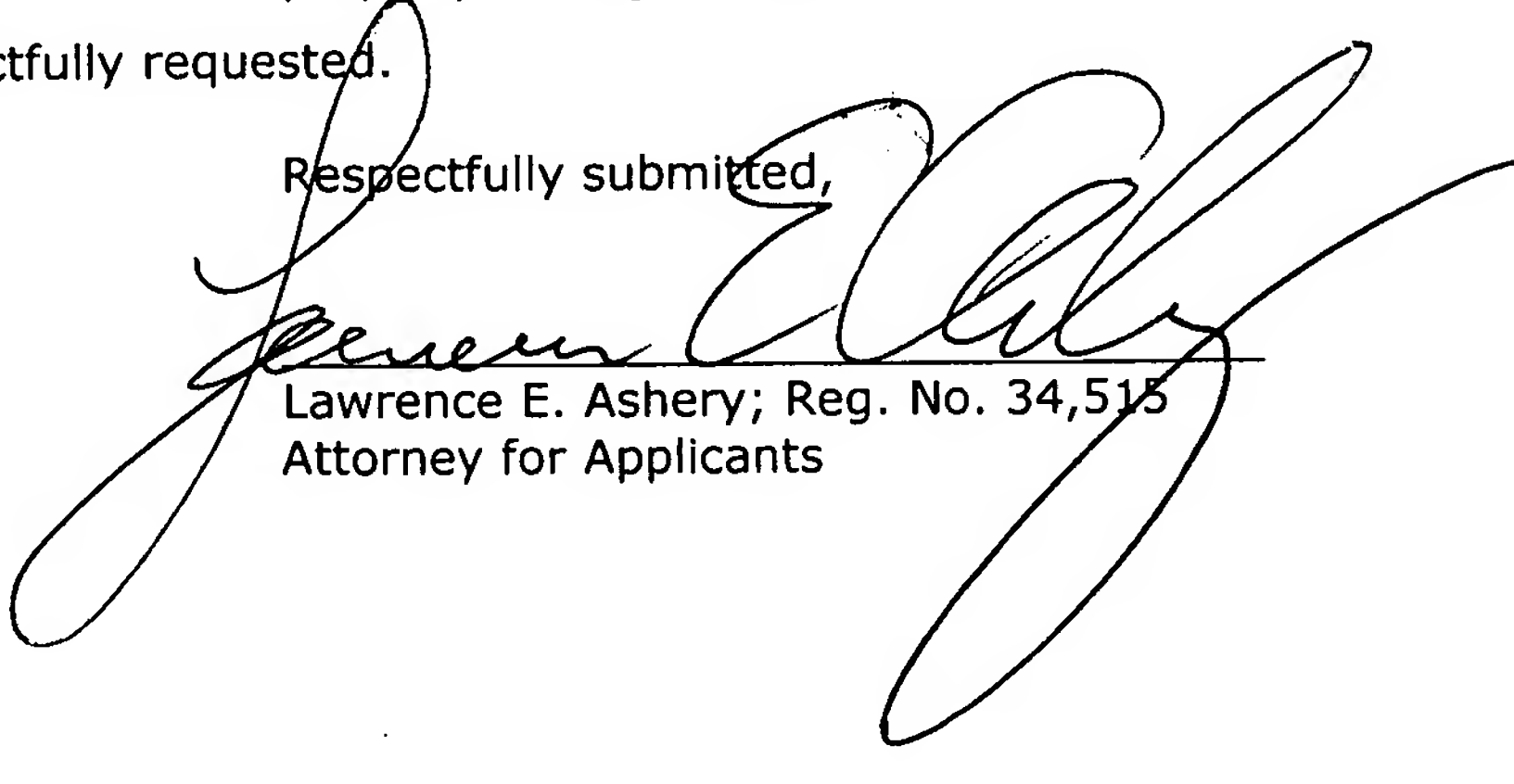
This is in response to the Election of Species of **December 30, 2005**.

Applicants elect the claims of Species III, claims 81, 86, and 90.

This election is made with traverse because claim 81 is generic to all of the claims of Species I, II and III.

This election is also made with traverse because of an error in the election requirement - claim 85 is missing. Claim 85 properly belongs in Species III.
Examination of claim 85 is respectfully requested.

Respectfully submitted,


Lawrence E. Ashery; Reg. No. 34,515
Attorney for Applicants

LEA/mc
Dated: January 30, 2006
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(610) 407-0700

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January 30, 2006


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